

# FISCAL NOTE

## HB 314 - SB 493

February 17, 2005

**SUMMARY OF BILL:** Creates Class E felony of furnishing alcohol to minor knowing person is minor and knowing minor intends to consume alcohol and where violation results in minor's intoxication and serious bodily injury to minor or another; creates Class D felony involving same conduct which results in death of minor or another; adds affirmative defense that defendant reasonably believed the minor was 21.

### ESTIMATED FISCAL IMPACT:

**Increase State Expenditures - \$21,200/Incarceration\***

**Decrease Local Govt. Expenditures - Not Significant**

**Decrease Local Govt. Revenues - Not Significant**


#### Assumptions:

- two offenders who had been convicted of a Class A misdemeanor offense for furnishing alcoholic beverage to a minor will be convicted of a Class E felony when the minor's intoxication proximately results in serious bodily injury to the minor or another.
- one offender who had been convicted of a Class A misdemeanor for furnishing alcoholic beverage to a minor will be convicted of a Class D felony when the minor's intoxication proximately results in the death of the minor or another.
- a decrease in local government expenditures and revenues for those persons convicted of a Class A misdemeanor that under the bill will be convicted of a felony.

*\*Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

### CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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